IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 7565 of 2005

Between:

D. Veerabhadra Chary, S/o Pothularaiah,
Jagadguru Sri Madvirat Pothuluri Veerabrahmendra Swamulavari Math, Kandimallayapalli, Brahmamgari Mattam (Mandal), Kadapa District.

..... PETITIONER

AND

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1 The Commissioner of Endowments, A.P. Hyderabad.
2 The Manager, Jagadguru Sri Madvirat Pothuluri Veerabrahmendra Swamulavari Math, Kandimallayapalli, Brahmamgari Mattam (Mandal), Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ in the nature of mandamus or any other appropriate writ, order or direction by declaring the action of the respondents in not releasing the arrears of salaries, Gratuity and Encashment of Earned Leave of the petitioner, though he retired from service on 31-12-2003 as illegal, arbitrary and unconstitutional and consequently direct the respondents to release the arrears of Salaries, Gratuity and Encashment of Earned Leave with interest, to the petitioner and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.S.GOPAL RAO

Counsel for the Respondent No.1: GP FOR ENDOWMENTS

Counsel for the Respondent No.2:

The Court at the admission stage made the following :

ORDER:

Questioning the action of the respondents in not releasing the arrears of salaries, Gratuity and Encashment of Earned Leave of the petitioner, though he retired from service on 31-12-2003, the petitioner filed the present writ petition.

Heard learned counsel for the petitioner and Learned Government Pleader for Endowments.

The second respondent in his letter No.125/2004, dated 9.1.2004 requested the first respondent to provide the supplemental budget for 2003-2004 for payment of compassionate gratuity and encashment of earned leave for 95 days to the petitioner. Therefore, appropriate decision has to be taken by the first respondent in accordance with law.

Therefore, without going into the merits of the case, the Writ Petition is disposed of directing the first respondent to take appropriate decision and pass necessary orders on the letter dated 9-1-2004 submitted by the second respondent, within a period of four weeks from the date of receipt of a copy of this order. No costs.

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K.C. Bhanu, J.

7th April 2005

js.

To

1 The Commissioner of Endowments, A.P. Hyderabad.
2 The Manager, Jagadguru Sri Madvirat Pothuluri
Veerabrahmendra Swamulavari Math, Kandimallayapalli,
Brahmamgari Mattam (Mandal), Kadapa District.

3 Two CCs to G.P. for Endowments, High Court of A.P. Buildings,
Hyderabad (OUT)

4 2 CD copies.